REMARKS

Claims 1-13 and 18-25 are currently pending. Claim 23 is amended without prejudice or disclaimer to change the dependency. Support is found inter alia in the original claims. No new matter has been added.

The claims stand restricted into three groups. Applicants hereby provisionally elect Group I, claims 1, 3-9, 11-12, 13 and 18-21, drawn to an amidase of claim 1, its encoding DNA, and a method of use of the amidase for hydrolysis of amides, for continued examination, with traverse.

Furthermore, claim 23 has been amended to depend from claim 18, thereby making claims 23 and its dependent claims 24-25 properly part of Group I. For this reason, inclusion of claims 23-25 into elected Group I is respectfully requested.

Because this application is a national stage filing pursuant to 35 U.S.C. § 371, unity of invention under PCT Rule 13.1 and 13.2 is the applicable standard. An application "shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept." (PCT Rule 13.1). Unity of invention is fulfilled "when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical feature. The expression 'special technical feature' shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art." (PCT Rule 13.2).

The Examiner has required restriction between Group I: an amidase of claim 1, its encoding DNA and methods of its use for hydrolysis of amides; Group II: an amidase that contains SEQ ID NO:2 or that is more than 50% homologous to SEQ ID NO:2; and Group III: a second method of using the amidase of Group I. Consideration of both Groups I and II together is strongly urged because the amidases share common technical features. Both amidases of claim 1 and claim 2 are derived from an enzyme isolated from *Pseudonocardia thermophila*. *See* page 2, lines 26-33 and examples. Therefore, the enzymes of both groups are characteristic of enzymes for the same class and the claims should be considered together.

Also, Applicants respectfully request the rejoinder of Group III with Group I. The Examiner states that the claims of Group III should be considered separately "because 37 CFR 1.475 does not provide for multiple products or methods within a single application" (emphasis in original). The Examiner has misread Rule 1.475, however. Part (a) of Rule 1.475 states the standard for unity of invention. This standard is the presence of "the same or corresponding special technical features." Part (b) of Rule 1.475 provides only examples of what will be considered as having unity of invention. It is not required that claims fit into one of the examples of (b) 1-5, however, for unity to be found. *See, e.g.,* MPEP 1850 ("The method for determining unity of invention under PCT Rule 13 shall be construed ***as permitting, in particular,*** the inclusion of any one of the following combinations of claims of different categories....").

Thus, it is urged that the claims of Group III be rejoined to Group I because they concern the same special technical feature.

For these reasons, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-13 and 18-25 presently pending in this application be examined.

Filed herewith is an authorization to charge the undersigned's deposit account for the amount of one month extension of time. Applicant believes no further fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order

No. 09600-00035-US1 from which the undersigned is authorized to draw.

Dated: March 3, 2008

Respectfully submitted,

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